

Article - Estates and Trusts

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§9–106.

(a) With the exception that the personal representative shall recover the assets or their value if the distribution was improper, title of the distributees who receive from the personal representative an instrument or deed of distribution of assets in kind is conclusive against all persons interested in the estate.

(b) (1) Unless the distribution can no longer be questioned because of adjudication or limitations, a distributee of property improperly distributed is liable to return the property received if the distributee has it or its value.

(2) If a distributee has disposed of property improperly distributed to the distributee, the distributee's liability is the lower of the value of the property on the date of distribution or the value on the date of disposition.

(c) (1) If property distributed in kind is sold to a purchaser for value by a distributee who has received an instrument or deed of distribution from the personal representative, the purchaser takes good title free of claims of the estate and incurs no personal liability to the estate.

(2) To be protected under paragraph (1) of this subsection, a purchaser need not inquire whether a personal representative acted properly in respect to a distribution in kind.

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